

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JUNE 16, 1998
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:10 a.m. Mayor Golding recessed the regular meeting at 10:53 a.m. to allow Council to review the ballpark document and meet in Closed Session in the 12th floor conference room at 11:30 a.m. for further discussions on ballpark negotiations, and to reconvene the regular meeting at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:30 p.m. with Council Member McCarty not present. Mayor Golding recessed the meeting at 4:45 p.m. into Closed Session for further discussions on ballpark negotiations, and to reconvene on Friday, June 19, 1998 at 10:00 a.m. at 111 W. Harbor Drive, Convention Center Expansion Parking Lot for the purpose of taking the motion and voting on items 205 and 337 on the docket relating to the Convention Center Expansion.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present

- (6) Council Member Stallings-present
 - (7) Council Member McCarty-excused by R-290456
(Birth of first grandchild)
 - (8) Council Member Vargas-present
- Clerk-Fishkin (mc/pr)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-not present
- (4) Council Member Stevens-not present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-not present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Daniel Beeman regarding the subject of "fiscal responsibility." He also commented on the City Manager's recommendation for a \$200 million plus increase to the budget.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A012-033.)

ITEM-PC-2:

Comment by Don Stillwell regarding the subject of
inflation and the fact that the purchasing power of the
dollar is increasing.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A034-057.)

ITEM-PC-3:

Comment by Daniel Fagan regarding the need for a safe
place for the homeless to protest.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A061-084.)

ITEM-PC-4:

Comment by Forrest Curo regarding Council Member
Stevens' misunderstanding of the homeless
demonstration.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A085-111.)

ITEM-PC-5:

Comment by Gregory Gavino offering his assistance to Council to convert a warehouse into a structure that will house bunk beds for the homeless.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A119-131.)

ITEM-PC-6:

Comment by Yosef Ben-Zvi regarding his phone being tapped in the HUD building that he lives in. He also commented on a young disabled person who lives in the building who is being abused.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A133-163.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stallings wishing Council Member Vargas luck as he prepares for the Rock-and-Roll Marathon which will be held this Sunday.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A169-177.)

ITEM-CC-2:

Comment by Mayor Golding announcing that the bankruptcy judge approved a plan for a totally new organization with a new board of directors for the San Diego Symphony. She also informed the council members that each one of them will be receiving a memorandum with copies of the plan for their review. This will be a brand new symphony with some of the same members of the last one. Mayor Golding also announced that there will be a POPS this summer in July.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A178-232.)

ITEM-205:

SUBJECT: Two actions related to Convention Center Expansion.

(See City Manager Report CMR-98-128. Centre City Community Area. District-2.)

TODAY'S ACTIONS ARE:

Take public testimony and have Council discussion on both Subitems A and B. Subitem B will be trailed to Tuesday, June 16, 1998:

Subitem-A: (O-98-136) FIRST HEARING HELD ON MONDAY,
JUNE 15, 1998

First public hearing of an Ordinance amending Ordinance No. O-18424 (New Series), titled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1997-98" by continuing the Capital Improvements Program Budget for the Convention Center Expansion Project.

NOTE: This ordinance requires two public hearings. Today's action is the first public hearing. See Item 337 on the docket of Tuesday, June 16, 1998 for the second public hearing and introduction and adoption of the Ordinance.

Subitem-B: (R-98-1318) TRAILED TO FRIDAY, JUNE 19, 1998
10:00 A.M., CONVENTION CENTER
EXPANSION PARKING LOT

Authorizing the City Manager to enter into a Phase VIII Interim Agreement with Golden Turner, to permit Golden Turner to re-mobilize staff and re-establish the job-site, demolish the USO building, work on the preliminary utility relocation bid package, begin preparation of bid packages, and perform other tasks necessary and related to the Convention Center Expansion, which Interim Agreement shall be in the amount of \$552,700, subject to certification of the City Auditor and Comptroller that appropriate funding is available;

Authorizing the Auditor and Comptroller to appropriate and expend from the Convention Center Expansion Fund 102212, an amount up to \$552,700, as may be required for interim funding of the Golden Turner Phase VIII Interim Agreement, with the intent that such interim funding may be reimbursed from future Project funding sources, such as bond proceeds and Port District Contribution;

Authorizing the City Manager to utilize, if necessary and subject to certification of availability of funds

by the City Auditor and Comptroller, \$3,000,000 from the Owner's Contingency to fund actual hard construction costs, prior to incorporating deductive alternatives into the Project.

Aud. Cert. 9801380.

FILE LOCATION: MEET (62)

COUNCIL ACTION: (Tape location: B029-081.)

ITEM-310:

SUBJECT: NeighborWorks Campaign for Homeownership Week.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1484) ADOPTED AS RESOLUTION R-290276

Proclaiming June 6 through 13, 1998 to be Neighborworks Campaign for Home Ownership Week" and calling upon the people of the City of San Diego to join in celebrating the outstanding efforts of San Diego Neighborhood Housing Services, Inc. and the NeighborWorks network, which are helping people in this community realize the American Dream of home ownership.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A233-295.)

MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-311: DENIED HEARING

SUBJECT: Request by A.P. Winter, for a hearing of an appeal from the decision of the Planning Commission in approving the request for an application for additions and modifications to the La Jolla YMCA facility, located at 8355 Cliffridge Avenue.

(LJS-96-7305. La Jolla Community Planning Area.
District-1.)

TODAY'S ACTION IS:

A motion either granting or denying the request for a hearing of the appeal.

SUPPORTING INFORMATION:

The project site is located at 8355 Cliffridge Avenue, at the southwest corner of Scenic Place and Cliffridge Avenue. The site is currently developed with a one-story structure occupied by the YMCA for recreational use. The site is adjacent to the Torrey Pines Elementary School which is located across Cliffridge Avenue to the north. Cliffridge Park which contains several ball fields and passive recreational areas is located to the west and south of the site. The project site is owned by the City of San Diego and is leased to the YMCA. The YMCA facility was initially constructed on the site in 1967. The site is zoned "YMCA" in the La Jolla Shores Planned District Ordinance. The YMCA pre-dates the Planned District Ordinance(PDO) which was adopted in 1974. The PDO acknowledged the existence of the YMCA by zoning the site for this specific use.

The project proposes the construction of a 4,500 square-foot multi-purpose tent structure located on the west side of the existing building where the existing playground is located.

The playground area is proposed to be moved to the east between the tennis courts and the existing building. The project also includes the construction of 1,000 square-foot addition to the main entrance and a 1,600 square foot addition for an aerobics area. Some additional interior modifications are also proposed to convert racquetball courts to an exercise area. The existing building totals 26,639 square-feet in area. The addition of 7,100 square-feet for the multi-purpose tent, main entrance and aerobics area would result in a total square-footage of 33,739 for the entire facility.

The City Manager recommended denial of the appeal and approval of the project.

The Planning Commission voted 6-0 to deny the appeal and approve the project with recommendation that the City consider taking the initiative to negotiate a joint use agreement with the school district for the use of the park and community use of the school parking lot during non-school hours.

Ayes: Butler, Watson, Anderson, Steele, Skorepa & White
Not Present: Quinn

The La Jolla Community Planning Association has recommended approval of the project.

FILE LOCATION: PERM 96-7305 (65)

COUNCIL ACTION: (Tape location: A296-331.)

MOTION BY MATHIS TO DENY THE REQUEST FOR A HEARING. Second by Warden. Passed by the following vote: Mathis-yea, Wear-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: This is the public meeting regarding the annual assessments for the Sorrento Hills Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following resolution:

(R-98-981) ADOPTED AS RESOLUTION R-290285

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Sorrento Hills Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1999 assessments for the Sorrento Hills Landscape Maintenance District (LMD). The district was established in 1996 to provide maintenance for landscaped and paved medians, landscaped right-of-way, paved right-of way, landscaped slopes, natural open space areas, and street gutters. The Fiscal Year 1999 proposed maintenance costs for the district are as follows:

DESCRIPTION	OPERATIONS	FUND	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$	0.00	\$ 0.00

REVENUE:

Assessments	\$187,877.00	\$	0.00	\$187,877.00
Interest	0.00		0.00	0.00
City Contribution:	18,600.00		0.00	18,600.00
TOTAL REVENUE	\$206,477.00	\$	0.00	\$206,477.00

TRANSFER:	(12,153.00)		12,153.00	0.00
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EXPENSE:

Personnel	\$ 27,790.00	\$	0.00	\$ 27,790.00
Contractual	50,000.00		0.00	50,000.00
Incidental	89,534.00		0.00	89,534.00
Utilities	27,000.00		0.00	27,000.00
TOTAL EXPENSE	\$194,324.00	\$	0.00	\$194,324.00

ENDING BALANCE	\$	0.00	\$ 12,153.00	\$ 12,153.00
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The proposed assessment for Fiscal Year 1999 is \$49.98 per Equivalent Dwelling Unit (EDU) and the maximum authorized assessment is \$180.66 per EDU indexed annually to the San Diego CPI-U. The district contains 3,758.7 equivalent benefit units (EBU's) and a maximum authorized of 4,323.41 equivalent benefit units (EBU's).

FILE LOCATION: STRT - M-408-99

COUNCIL ACTION: (Tape location: A332-350; A533-545;
B019-028.)

Hearing began at 10:39 a.m. and halted at 10:40 a.m.

Mayor Golding closed the hearing.

Mayor Golding announced the Tally for the Sorrento Hills Landscape Maintenance District: No votes: 18 for a total Assessment Amount of \$4,523.53; Yes votes: 202 for a total Assessment Amount of \$132,149.08.

MOTION BY WARDEN TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Business Improvement District Budgets for Fiscal Year 1999.

(Mid-City, Centre City, Uptown, Greater North Park, Old San Diego, Ocean Beach, La Jolla, Southeast San Diego, College Area, Mission Hills, and Pacific Beach Community Areas. Districts-1, 2, 3, 4,& 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in Subitem A; introduce the ordinances in Subitems B thru E:

Subitem-A: (R-98-1312) ADOPTED AS RESOLUTION R-290277

Adoption of a Resolution to levy an annual assessment within previously established Business Improvement Districts for July 1, 1998 through June 30, 1999 (FY 1999).

Subitem-B: (O-98-131) INTRODUCED, TO BE ADOPTED ON
JUNE 29, 1998

Introduction of an Ordinance amending Ordinance No. O-18263 (New Series), adopted February 20, 1996, establishing the College Area Business Improvement District and levying an assessment and charge for upgrading and promoting the area.

Subitem-C: (O-98-132) INTRODUCED, TO BE ADOPTED ON
JUNE 29, 1998

Introduction of an Ordinance amending Ordinance No.
O-18262 (New Series), adopted February 20, 1996,
establishing the Diamond Business Improvement District
and levying an assessment and charge for upgrading and
promoting the area.

Subitem-D: (O-98-133) INTRODUCED, TO BE ADOPTED ON
JUNE 29, 1998

Introduction of an Ordinance amending Ordinance No.
O-18374 (New Series), adopted January 13, 1997,
establishing the Little Italy Business Improvement
District and levying an assessment and charge for
upgrading and promoting the area.

Subitem-E: (O-98-134) INTRODUCED, TO BE ADOPTED ON
JUNE 29, 1998

Introduction of an Ordinance amending Ordinance No.
O-18373 (New Series), adopted January 13, 1997,
establishing the Pacific Beach Business Improvement
District and levying an assessment and charge for
upgrading and promoting the area.

CITY MANAGER SUPPORTING INFORMATION:

Business Improvement Districts (BIDS) are authorized by State law to assess benefitted businesses for the cost for certain activities. These activities are generally promotional in nature. Once a BID is established the City collects the assessments and disburses them to an appropriate entity representing the district pursuant to an annual operating agreement. There are currently 16 active districts in the City of San Diego: Adams Avenue, City Heights, College Area, Diamond,

Downtown, El Cajon Boulevard Gateway, El Cajon Boulevard Central, Gaslamp, Hillcrest, La Jolla, Little Italy, Mission Hills, North Park, Ocean Beach, Old Town, and Pacific Beach.

FILE LOCATION: Subitem A: STRT - L1, L2, L3, L4, L5,
 L6, L7, L8, L9, L11, L12, L13, L14, L15,
 L16, L17; Subitems B-E: NONE

COUNCIL ACTION: (Tape location: A332-350.)

Hearing began at 10:39 a.m. and halted at 10:40 a.m.

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCES AND ADOPT THE RESOLUTION. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Matter of the appeal by John Lett, from the decision of the Board of Zoning Appeals in denying a request for a variance in the Mira Mesa Community Plan Area (Major Pharmaceutical).

(C-21524/96001510-P-1. Mira Mesa Community Plan Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution to deny the appeal and deny the variance.

(R-99-509) GRANTED APPEAL, GRANTED VARIANCE;
ADOPTED AS RESOLUTION R-290278

Adoption of a Resolution granting or denying the appeal and granting or denying the variance, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

The appeal is being requested to consider the denial of a variance to enclose an existing loading dock area that will observe a 4'-0" interior side yard where 19'-11" interior side yard is required on Lot 24, Miralani Business Park Unit No. 1, Map-9503, located at 8330 Arjons Drive, which intersects with Miralani Drive in the M1B Zone, in the Mira Mesa Community Planning Area, Council District 5.

FILE LOCATION: ZONE 96-1510 (65)

COUNCIL ACTION: (Tape location: A351-532.)

Hearing began at 10:41 a.m. and halted at 10:51 a.m.

Testimony in opposition by Tim Graves and John Lett.

MOTION BY WARDEN TO DENY THE CITY MANAGER'S RECOMMENDATION AND APPROVE THE VARIANCE. Second by Stallings. Passed by

the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Matter of Vesting Tentative Map(VTM), Rezone(RZ) (from R1-5000 to SR), Planned Industrial Development (PID)Permit, and Resource Protection Ordinance(RPO) Permit No. 96-7756 for the Eastgate Acres Project

within the University Community Planning Area.
(VTM, RZ, PID, RPO-96-7756. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in Subitem A; introduce the ordinance in Subitem B; adopt the resolutions in Subitems C and D to grant the permits and the map:

Subitem-A: (R-98-1331) ADOPTED AS RESOLUTION R-290279

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration LDR-96-7756 has been completed in compliance with the California Environmental Quality Act of 1970 and State CEQA guidelines, and that said declaration reflects the independent judgement of the City of San Diego as Lead Agency. Stating for the record that the final MND has been reviewed and considered prior to approving the project by the Council and adopting the Mitigation, Monitoring and Reporting Program.

Subitem-B: (O-98-140) INTRODUCED, TO BE ADOPTED
JUNE 29, 1998

Introduction of an Ordinance rezoning the subject property from R1-5000 to SR (Scientific Research).

Subitem-C: (R-98-1583) GRANTED PERMITS, ADOPTED AS
RESOLUTION R-290280

Adoption of a Resolution granting or denying the permits, with appropriate findings to support Council action.

Subitem-D: (R-98-1584) GRANTED MAP, ADOPTED AS
RESOLUTION R-290281

Adoption of a Resolution granting or denying the map,
with appropriate findings to support Council action.

SUPPORTING INFORMATION:

The Eastgate Acres project proposes to construct 200,000 square feet of scientific research uses within 3 separate buildings on a 34-acre site located at the northern terminus of Towne Centre Drive within the University Community Planning Area.

LEGAL DESCRIPTION:

The project site is more particularly described as Lot B of Referee's Partition Map of Pueblo Lot 1320.

CITY MANAGER SUPPORTING INFORMATION:

The requested actions are necessary to allow for the development of a three-building industrial complex consisting of 200,000 square feet of scientific research uses on a 34-acre site. The Eastgate Acres project is located immediately west of the current terminus of Towne Centre Drive within the University Community Planning Area. The project site is designated for Scientific Research uses within the University Community Plan, and the project meets all of the development regulations of the proposed underlying zone(SR).

In order to reduce the total amount of grading and to minimize impacts to sensitive resources, the Eastgate Acres project has been designed to cluster development on the flatter portions of the lot adjacent to the existing roadway. Although the total parcel is 34 acres in size, the proposed development will utilize only about 10 acres. The remaining 24 acres of land will be preserved permanently as open space and incorporated into the City of San Diego's Multi-Habitat Planning Area.

Planning Commission Recommendation: On April 30, 1998, the Planning Commission voted 6-0 to recommend that the City Council support the City Manager's recommendation to approve the project and related actions and certify and adopt the environmental documents.

City Manager's Recommendation: Approve the Rezone, Vesting Tentative Map, Planned Industrial Development Permit and Resource Protection Ordinance Permit. Certify Mitigated Negative Declaration LDR-96-7756, and adopt the Mitigation, Monitoring and Reporting Program.

FILE LOCATION: Subitems A,C,D: PERM 96-7756 (65);
Subitem B: NONE

COUNCIL ACTION: (Tape location: A332-350.)

Hearing began at 10:39 a.m. and halted at 10:40 a.m.

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTIONS GRANTING THE PERMITS AND MAP. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Matter of a Rezone and a Tentative Map (96-0480) in the San Ysidro Community Plan Area. (Vista Lane).

(RZ/TM-96-0480. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A; introduce Subitem B; and adopt Subitem C to grant the map:

Subitem-A: (R-98-1366) ADOPTED AS RESOLUTION R-290282

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration LDR-96-0480 has been completed in

compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration reflects the independent judgment of The City of San Diego as Lead Agency and that information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-98-142) INTRODUCED, TO BE ADOPTED
JUNE 29, 1998

Introduction of an Ordinance for R-1-5000 zoning.

Subitem-C: (R-98-1585) GRANTED MAP, ADOPTED AS
RESOLUTION R-290283

Adoption of a Resolution granting or denying the Tentative Map, with appropriate findings to support Council action.

CITY MANAGER SUPPORTING INFORMATION:

The present A-1-10 zoning of the property is a hold-over from the period when this area of the South Bay was extensively cultivated. The property has a produce packing facility which is no longer in operation. The proposal is to rezone the 1.63 acre site for single-family residential use (R1-5000) and to subdivide it into eight 5,000 square foot lots for development as single-family residences similar to that existing in the neighborhood.

The project site is located at 33516 Vista Lane in the San Ysidro Community Planning Area. The proposed Rezone and Tentative Map are consistent with the General Plan, the San Ysidro Community Plan, the development regulations of the proposed R1-5000 zone and the City's Subdivision Regulations.

On April 2, 1998, the Planning Commission voted 4-0 to recommend City Council approval of Rezone/Tentative Map 96-0480.

On July 16, 1996, the San Ysidro Planning Group recommended approval of the property by a vote of 11-0.

The proposed rezone and tentative map would allow the development of the site as low-density, single-family residential as recommended by the San Ysidro Community Plan. The addition of these R1-5000 lots to the local housing market would provide a wider range of housing choices in a community that currently has a higher than City average number of multi-family units.

LEGAL DESCRIPTION:

The project site is located at 3516 Vista Lane and is more particularly described as a portion of the Northeast Quarter of Section 35, Township 18 South, Range 2 West, within the San Ysidro Community Planning Area.

FILE LOCATION: Subitems A, C: ZONE - 96-0480 (65);
 Subitem B: NONE

COUNCIL ACTION: (Tape location: A332-350.)

Hearing began at 10:39 a.m. and halted at 10:40 a.m.

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCE AND
ADOPT THE RESOLUTIONS GRANTING MAP. Second by Kehoe.

Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: Year-End Budget Adjustments.

(See the City Manager's Report.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-98-147) INTRODUCED AND ADOPTED AS ORDINANCE
O-18530 (New Series)

Introduction and adoption of an Ordinance amending
Ordinance No. O-18424 (New Series), titled "An
Ordinance Adopting the Annual Budget for the Fiscal
Year 1997-98 and Appropriating the Necessary Money to
Operate the City of San Diego for Said Fiscal Year."

NOTE: See Item 203 on the docket of Monday, June 15, 1998 for
the first public hearing. Today's action is the second public
hearing for the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A332-350.)

CONSENT MOTION BY MATHIS TO INTRODUCE, DISPENSE WITH THE
READING AND ADOPT THE ORDINANCE. Second by Kehoe. Passed
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

ITEM-336:

NOTE: All public testimony on this issue will be taken today. At the conclusion of today's hearing, the public testimony portion of the hearing will be closed.

SUBJECT: Matter of the Middle Segment of State Route 56 (SR 56) including: the adoption of an alternative alignment; the approval of a Coastal Development Permit (CDP) for that portion of the project at the western end of the segment. (Carmel Valley & Rancho Penasquitos Community Areas.)

(CDP-95-0099. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A and C; adopt Subitem B to grant the permit:

NOTE: FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS
WILL BE ADOPTED ON JUNE 30.

Subitem-A: (R-98-1377 REV.) ADOPTED AS RESOLUTION
R-290286

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-95-0099 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report reflects the independent judgement of the City of San Diego as Lead Agency;

Directing the City Attorney and City Manager to return to the City Council on June 30, 1998 with the Findings, Statement of Overriding Considerations, and Mitigation

Monitoring and Reporting Program to support the
Council's selection of the alignment for the Middle
Segment of State Route 56.

Subitem-B: (R-99-396) GRANTED PERMIT, ADOPTED AS
RESOLUTION R-290287

Adoption of a Resolution granting or denying the
permit, with appropriate findings to support Council
action.

Subitem-C: (R-98-1372 REV.) ADOPTED AS AMENDED AS
RESOLUTION R-290288

Adoption of a Resolution adopting one of four State
Route 56 Alternative Alignments (i.e.: Northern
Alignment, Central Alignment, Modified Northern D, or
Modified Northern F); adopting the four lane freeway as
the project in accordance with CalTrans design
standards; directing the City Manager to proceed with
the project without the third interchange as described
in the Environmental Impact Report (EIR), LDR-95-0099;
authorizing a Fourth Amendment to the Agreement with
Boyle Engineering Corp.; authorizing the expenditure of
not to exceed \$1,769,496 from CIP-52-463.0, Rancho
Penasquitos FBA Fund 79004.

OTHER RECOMMENDATIONS:

Planning Commission voted 4-0 to recommend Modification F.

Ayes: Steele, Butler, Skorepa, Watson
Not Present: Anderson, Quinn, White

SUPPORTING INFORMATION:

In 1994 the City of San Diego began a concerted effort to
construct State Route 56 between Carmel Valley and Rancho
Penasquitos. Currently this roadway terminates at Carmel Country

Road in the west and Black Mountain Road in the east. What is before the Council at this time is the certification of the Environmental Document as well as other related items, such as the selection of the alignment. It should be noted that this project is one of the two regional transportation projects that the Council selected as their highest priorities, the other being State Route 905. This project is partially located in the Coastal Zone within both the City's and the California Coastal Commission's jurisdictions. As a result, the final decision on this project will be with the California Coastal Commission.

Aud. Cert. 9801324.

FILE LOCATION: SUBITEMS A, B & C: PERM-95-0099 (65)

COUNCIL ACTION: (Tape location: B089-D467.)

Hearing began at 2:42 p.m. and halted at 4:40 p.m.

Mayor Golding left at 3:44 p.m. and returned at 4:05 p.m.

Testimony in opposition by Scott Harvey, Michael McDade, Bob Wendt, Lois Means, Paul Brown, Scott Pancoast, Susan Brady, Nancy Sappington, Opal Trueblood, John Kenward, Louis Goebel, Robert Barczewski, Mark Tamsen, Tony Dubreville, Steven Mannis, Nancy Henricks, Lynn Slight.

Testimony in favor by Sherry Barrett, Bill Tippetts, Mike Madigan, Jan Fuchs, Michael Beck, Lisa Ross, Jan Hudson, Robert Lewis, Anne Harvey, Mike Kelly, Teresa Barker, Mitchell Lizar, David Goodell, Patrick Flynn, Beatrice Beck, John Northrop, Lillian Justice, Jim Peugh, Chad Harris, Paul Blackburn, Walter Heiberg.

MOTION BY MATHIS TO APPROVE THE PLANNING COMMISSION'S RECOMMENDATION WHICH COMBINES ALIGNMENT "F" IN SUBAREA III WITH THE NORTHERN ALIGNMENT IN SUBAREA IV. ADOPT THE RESOLUTIONS IN SUBITEMS A & C, AND THE RESOLUTION IN SUBITEM B TO GRANT THE PERMIT. DIRECT THE CITY MANAGER AND CITY

ATTORNEY TO RETURN TO COUNCIL ON JUNE 30, 1998 WITH APPROPRIATE FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION AND MONITORING PROGRAM; AND TO DESIGNATE THE FREEWAY DESIGN AS "THE FOUR LANE FREEWAY." TO ACCEPT COUNCIL MEMBER WARDEN'S REQUEST TO DIRECT THE CITY MANAGER TO WORK WITH CALTRANS, THE CITY, AND THE COUNTY TO ASSIGN AN OMBUDSMAN TO WORK WITH THE PROPERTY OWNERS INVOLVED, AND TO PROVIDE ONE CENTRAL NUMBER TO CALL REGARDING THEIR CONCERNS THROUGH THE COMPLETION OF ROUTE 56. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-337: TRAILED TO FRIDAY, JUNE 19, 1998, 10:00 A.M.,
 CONVENTION CENTER EXPANSION PARKING LOT.

SUBJECT: Convention Center Expansion.

(See City Manager Report CMR-98-128. Centre City
Community Area. District-2.)

TODAY'S ACTIONS ARE:

Hold the second public hearing of the ordinance and close the hearing for public testimony and Council discussion.

Today's meeting will be adjourned to 10:00 a.m. on Friday, June 19, 1998, 111 W. Harbor Drive, Convention Center Expansion Parking Lot. Items 337 and 205(b) will be trailed to that meeting solely for the purpose of a vote. Further public testimony and Council discussion will not be taken.

(O-98-136)

Second public hearing of an Ordinance amending
Ordinance No. O-18424 (New Series), titled "An

Ordinance Adopting the Annual Budget for the Fiscal Year 1997-98" by continuing the Capital Improvements Program Budget for the Convention Center Expansion Project.

NOTE: See Item 205 on the docket of Monday, June 15, 1998 for the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B029-081.)

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was recessed by Mayor Golding at 4:45 p.m. in honor of the memory of Leo Buscaglia as requested by City Clerk Charles G. Abdelnour.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D500.)